

# IN THE MISSOURI COURT OF APPEALS WESTERN DISTRICT

---

## COMPLETE TITLE OF CASE

IN THE INTEREST OF: C.S. and C.S., Jr.

JUVENILE OFFICER,

Respondent,

v.

C.S., Sr. (Natural Father),

Appellant.

---

**DOCKET NUMBER** WD73782

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**DATE:** November 1, 2011

---

## APPEAL FROM

The Circuit Court of Jackson County, Missouri  
The Honorable Marco A. Roldan, Judge

---

## APPELLATE JUDGES

Division Three: Karen King Mitchell, Presiding Judge, and James M. Smart, Jr., and Gary D. Witt, Judges

---

## ATTORNEYS

Katie A. Rooney  
Kansas City, MO

Attorney for Respondent,

Katherine J. Rodgers  
Kansas City, MO

Guardian *ad litem*,

Anthony L. Gosserand  
Kansas City, MO

Attorney for Appellant.

---

# MISSOURI APPELLATE COURT OPINION SUMMARY

## MISSOURI COURT OF APPEALS, WESTERN DISTRICT

parent is incarcerated, section 211.447.7(6) does not, by its own terms, apply to a court's statutory finding that a parent is unfit under section 211.447.5(6). Further, in this case, the trial court's finding that Father was unfit to parent the twins was not based solely upon his incarceration but also took into account: the lengthy term of incarceration that Father still faced; the fact that Father was incarcerated out of state, so that the twins could not visit Father; the tender age of the twins and the fact that Father had not had sufficient opportunity to bond with them prior to their mother's death; the fact that the twins' mother had passed away and that there was no other relative of Father's to help care for the twins and provide them needed stability, and the fact that the twins had a stable home with their maternal relatives. These facts constitute substantial evidence to support the trial court's finding that Father was unfit.

**Opinion by: Karen King Mitchell, Judge**

November 1, 2011

\* \* \* \* \*

THIS SUMMARY IS UNOFFICIAL AND SHOULD NOT BE QUOTED OR CITED.